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12 *Attorneys for Defendants*
13 *C. R. Bard, Inc. and*
Bard Peripheral Vascular, Inc.

14
15 **IN THE UNITED STATES DISTRICT COURT**
16 **FOR THE DISTRICT OF ARIZONA**

17 IN RE: Bard IVC Filters Products Liability MDL NO. 15-02641-PHX-DGC
18 Litigation

19 This Document Relates to:

20 VICKI WETZEL,

21 Plaintiff,

Case No. CV-15-01667-PHX-DGC

22 v.

23 C. R. BARD, INC., a New Jersey
24 Corporation; AND BARD PERIPHERAL
25 VASCULAR INC., an Arizona
Corporation,

**DEFENDANTS' MOTION TO
DISMISS PLAINTIFF'S
COMPLAINT FOR FAILURE TO
COMPLY WITH CASE
MANAGEMENT ORDER NO. 5**

26 Defendants.
27
28

1 Pursuant to Fed. R. Civ. P. 12(b) Defendants C. R. Bard, Inc. and Bard Peripheral
2 Vascular, Inc. ("Bard") respectfully move this Court to dismiss Plaintiff's Complaint for
3 failure to comply with the terms of Case Management Order No. 5 pertaining to timely
4 service of Plaintiff Profile Forms. Pursuant to Local Rule 7.2(b), this Motion is accompanied
5 by a Memorandum of Points and Authorities.

6 WHEREFORE, for the reasons set forth above and in the accompanying Memorandum
7 of Points and Authorities, Bard respectfully requests that this Court enter an Order dismissing
8 Plaintiff's Complaint.

9 This 11th day of April, 2016.

10 s/Richard B. North, Jr.

11 Richard B. North, Jr.

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13 Matthew B. Lerner

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Attorney for Defendants C. R. Bard, Inc. and

Bard Peripheral Vascular, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 11, 2016, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send notification of such filing to all counsel of record.

s/Richard B. North, Jr.
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